

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

03 JAN 28 AM 10:36

U.S. District Court
Southern District of California

UNITED STATES OF AMERICA,

Plaintiff,

v.

Roberto MUÑOZ-Sarabia

AKA: Rogelio RIVERA-Contreras

AKA: Arturo TORRES-Rendon

Defendant,

Magistrate Case No. 08 MJ 00237

COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section
1324(a)(2)(B)(iii)-
Bringing in Illegal Aliens
Without Presentation

The undersigned complainant being duly sworn states:

On or about **January 25, 2008**, within the Southern District of California, defendant **Roberto MUÑOZ-Sarabia, AKA: Rogelio RIVERA-Contreras, AKA: Arturo TORRES-Rendon** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that an alien, namely, **Pedro MENDOZA-Soto**, had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Claudia Rios, U.S. Customs and Border
Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **28th** day of **January 2008**.


UNITED STATES MAGISTRATE JUDGE

I, United States Customs and Border Protection (CBP) Enforcement Officer Roger Quintana Jr., declare under penalty of perjury the following to be true and correct:

The complainant states that **Pedro MENDOZA-Soto** is a citizen of a country other than the United States; that said alien has admitted he is deportable; that his testimony is material; that it is impracticable to secure his attendance at trial by subpoena; and that he is a material witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On January 25, 2008 at approximately 4:15 AM, **Roberto MUÑOZ-Sarabia, AKA: Rogelio RIVERA-Contreras, AKA: Arturo TORRES-Rendon (Defendant)** applied for admission into the United States from Tijuana, Mexico at the San Ysidro, California Port of Entry through vehicle primary lane 19. Defendant was the driver and sole visible occupant of a red 1993 Ford Festiva. During pre-primary inspection, a Customs and Border Protection (CBP) Officer and his service canine alerted to the rear cargo area of the vehicle and noticed a non-factory compartment. Defendant claimed ownership of the vehicle and declared he was not bringing anything back from Mexico. Defendant was taken into custody and escorted to a secondary office for further investigation. The vehicle was driven into secondary for further inspection.

In secondary, one male was extracted from the compartment and identified as **Pedro MENDOZA-Soto (Material Witness)**, a Mexican citizen without proper documents to enter or reside in the United States. A search of Defendant's wallet revealed an altered Permanent Resident Card. Defendant was identified as a Mexican citizen with no entitlements to enter or reside into the United States.

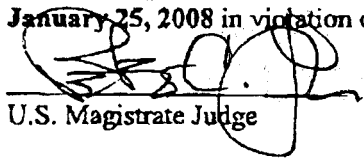
Defendant was read his Miranda rights and elected to make a statement and answer questions without a lawyer present. Defendant admitted he is a Mexican citizen with no legal documents to enter or reside in the United States. Defendant admitted he was attempting to smuggle Material Witness in exchange for a reduced smuggling fee of \$750.00 USD. Defendant stated he was saving himself approximately \$2,000.00 USD for committing the smuggling act. Defendant stated he made the arrangements with a female smuggler named "Doña Letty" in Tijuana, Mexico.

Material Witness was interviewed and admitted being a citizen of Mexico without entitlements to enter or reside in the United States. Material Witness stated he wanted to go to San Jose, California to seek employment. Material Witness stated he was being charged a smuggling fee of about \$2,000.00 USD.

Executed on this 25th day of January, 2008 at 3:00 PM.


Roger Quintana Jr. / CBP Enforcement Officer

On the basis of the facts presented in the Probable Cause Statement consisting of (1) page, I find probable cause to believe that the defendant named therein committed the offense on January 25, 2008 in violation of Title 8, United States Code, Section 1324.


U.S. Magistrate Judge

1-26-08 @ 2:45 pm
Date / Time

TOTAL P.03